

# UNITED STATES DISTRICT COURT

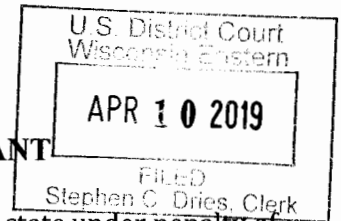
for the  
EASTERN DISTRICT OF WISCONSIN

*In the Matter of the Search of*

Case Number: 19 m 672

A USPS Priority Mail parcel with tracking number 9505 5119 4113 9096 4529 11 addressed to to "Kelsey Regan, 8750 county road 550 room 1, Marquette MI 49855-9785 (sic)," with a return address of "Selfphon Techs, 5351 w eugie ave, Glendale AZ 85304 (sic)."

## APPLICATION & AFFIDAVIT FOR SEARCH WARRANT



I, Matt Schmitz, a federal law enforcement officer, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property:

A USPS Priority Mail parcel with tracking number 9505 5119 4113 9096 4529 11 addressed to to "Kelsey Regan, 8750 county road 550 room 1, Marquette MI 49855-9785 (sic)," with a return address of "Selfphon Techs, 5351 w eugie ave, Glendale AZ 85304 (sic)."

currently located in the Eastern District of Wisconsin there is now concealed: **Please see attached affidavit, which is hereby incorporated by reference.**

The basis for the search warrant under Fed. R. Crim. P. 41(c) is which is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of a crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Title 21, United States Code, Sections 841(a)(1) and 843(b).

The application is based on these facts:

- ☒ Continued on the attached sheet, which is incorporated by reference.
- ☐ Delayed notice of \_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Sworn to before me, and signed in my presence.

Date April 10, 2019

City and state: Green Bay, Wisconsin

Applicant's signature  
Name and Title: Matt Schmitz, U.S. Postal Inspector

Judge's signature  
THE HONORABLE WILLIAM C. GRIESBACH  
United States District Court Chief Judge  
Name & Title of Judicial Officer

## AFFIDAVIT

Matt Schmitz, United States Postal Inspector, being duly sworn, states the following information was developed from his personal knowledge and from information furnished to him by other law enforcement agents and professional contacts:

### I. INTRODUCTION

1. I have been employed by the United States Postal Inspection Service for approximately 15 years and was previously employed as a Police Officer with the City of Middleton (WI) and City of Janesville (WI) Police Departments for a total of six years. As part of my duties as a Postal Inspector, I investigate the use of the U.S. Mails to illegally send and receive controlled substances and drug trafficking instrumentalities. I have participated in investigations which have resulted in the arrest of individuals who have received and distributed controlled substances using the U.S. Mail, as well as the seizure of the illegal drugs and proceeds from the sale of those illegal drugs. My training and experience includes identifying packages with characteristics indicative of criminal activity, namely, the distribution of controlled substances.

### II. PARCEL TO BE SEARCHED

2. This affidavit is submitted in support of an application for a search warrant for a 12.5 inch by 9.5 inch U.S.P.S. Priority Mail parcel with tracking number 9505 5119 4113 9096 4529 11, mailed on April 6, 2019, from Phoenix, AZ zip code 85013. This parcel bears typed addressee and return address information. The parcel is addressed to "Kelsey Regan, 8750 county road 550 room 1, Marquette MI 49855-9785 (sic)," and bears a return address of "Selfphon Techs, 5351 w eugie ave, Glendale AZ 85304 (sic)." The parcel weighs approximately 4 ounces, exhibits postage in the amount of \$7.35, and is hereinafter referred to as the "SUBJECT PARCEL." The SUBJECT PARCEL consists of a Priority Mail Flat Rate Envelope that exhibits a noticeable bulge that is approximately 1.5 to 2 inches thick and 4 inches in diameter.

### III. INVESTIGATION

3. In March, 2019, Michigan Upper Peninsula Substance Enforcement Team (UPSET) Investigator Scott Johnson told me UPSET discovered information from two investigations in 2017 and 2018 that indicated Kirk Marjomaki of 8750 County Road 550 in Marquette, MI may be receiving controlled substances through the US Mail.

Specifically, in February of 2017, Aubrey Goodreau told UPSET investigators she suspected the father of her child, John Yeager, was ordering heroin via the “Dark Web” and having it mailed to Kirk Marjomaki in Marquette, MI. I have learned through my training and investigative experience that the “Dark Web” refers to a portion of the internet that can only be accessed through the use of special software and networks that maintain anonymity among its users. Further, the Dark Web is commonly used for illegal activity including the sale and distribution of controlled substances. Investigator Johnson also told me UPSET discovered information from a Marquette County (MI) Sheriff’s Department report in November, 2018, that John Yeager, the same individual identified by Aubrey Goodreau, was arrested after he admitted to using heroin in a restroom at his place of employment. In March, 2019, Investigator Johnson determined Kirk Marjomaki was believed to be living at 8750 County Road 550 in Marquette, MI. I queried USPS records for information on previous mailings delivered to this address that could be associated with controlled substance distribution. I learned that between August, 2018, and March, 2019, 25 mailings originating in California, Arizona, and Nevada had been mailed to 8750 County Road 550 in Marquette, MI. I have learned through my training and investigative experience that controlled substances mailed to Wisconsin and Michigan are commonly sent from the western United States, specifically, Washington, Oregon, California, Arizona, and Nevada.

4. Based upon the information provided by UPSET Investigator Scott Johnson and my research of USPS records, I contacted the Marquette, MI Post Office and requested they notify me if they received any packages originating from California, Arizona, or Nevada that were addressed to 8750 County Road 550 in Marquette, MI. On April 9, 2019, the Marquette, MI Post Office told me they received for delivery to this address a Priority Mail parcel with tracking number 9505 5119 4113 9096 4529 11 that had been mailed from Arizona, was addressed to “Kelsey Regan, 8750 county road 550 room 1, Marquette MI 49855-9785 (sic),” and bore a return address of “Selfphon Techs, 5351 w eugie ave, Glendale AZ 85304” (SUBJECT PARCEL). I requested the Marquette Post Office hold the SUBJECT PARCEL until I could arrive for further investigation.

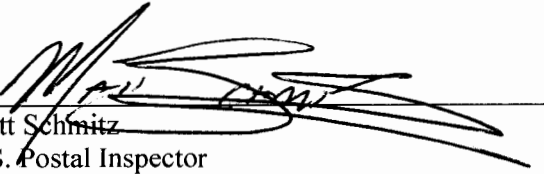
5. On April 9, 2019, I travelled to the Marquette, MI Post Office and made contact with the SUBJECT PARCEL. I saw is displayed tracking number 9505 5119 4113 9096 4529 11, was addressed to "Kelsey Regan, 8750 county road 550 room 1, Marquette MI 49855-9785 (sic)," bore a return address of "Selfphon Techs, 5351 w eugie ave, Glendale AZ 85304" and exhibited a noticeable bulge that was approximately 1.5 to 2 inches thick and 4 inches in diameter, a size consistent with the SUBJECT PARCEL possibly containing a quantity of controlled substances. On April 10, 2019, I queried the CLEAR law enforcement search engine and Yahoo! Internet search engine for information on the return address listed on the SUBJECT PARCEL. I learned from these queries that the name "Selfphon Techs" was not known to exist or be associated with 5351 W Eugie Ave in Glendale, AZ 85304. Further, on April 10, 2019, I received information from the Marquette, MI Post Office that a male identifying himself as "Kirk" called to inquire about the delivery status of a Priority Mail parcel with tracking number 9505 5119 4113 9096 4529 11 (SUBJECT PARCEL). I have learned that individuals mailing controlled substances commonly use a fictitious return address as a means to avoid identification as the mailer and source of the controlled substances. Further, based upon the information provided by UPSET along with the call to the Marquette Post Office on April 10, 2019, by a male identifying himself as "Kirk," I believe the true intended recipient of the SUBJECT PARCEL is Kirk Marjomaki.
6. On April 9, 2019, Marquette (MI) Police K-9 Officer Todd Collins agreed to assist in presenting the SUBJECT PARCEL to a dog sniff. Officer Collins is a trained handler of a certified drug detection dog named "Scuda." Officer Collins explained that Scuda is trained in detecting the presence of marijuana, cocaine, heroin, methamphetamine, and ecstasy and was last certified in detecting controlled substances in September of 2017. Consistent with Officer Collins' training, experience, and direction, I placed the SUBJECT PARCEL behind a door in an empty cabinet in a hallway at the Marquette (MI) Police Department. I left the door to the cabinet slightly open with the edge of the SUBJECT PARCEL flush with the front of the door. Scuda examined the hallway and Officer Collins said Scuda alerted to the odor of controlled substances in a package behind a door in the cabinet. I identified the package Officer Collins was referring to as the SUBJECT PARCEL. Scuda did not alert to the odor of controlled substances in any other area of the loading dock. Following the dog sniff I

retained custody of the SUBJECT PARCEL and brought it to the U.S. Postal Inspection Service office in Oneida, WI, in the Eastern District of Wisconsin, for further investigation.

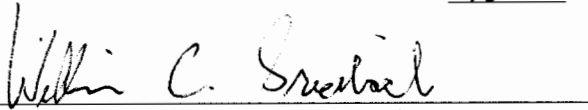
7. Postal Regulation Sec. 274.31 of the United States Postal Service Administrative

Support Manual states that no one may detain mail sealed against inspection, except under the following condition: A Postal Inspector acting diligently and without avoidable delay, upon reasonable suspicion, for a brief period of time, to assemble evidence sufficient to satisfy the probable cause requirement for a search warrant issued by a Federal Court.

8. I believe there is probable cause to believe the SUBJECT PARCEL contains controlled substances, controlled substance paraphernalia, and/or proceeds or payment related to the sale of controlled substances. I am seeking the issuance of a warrant to search this parcel, and the contents contained therein, for contraband and evidence of a crime, namely, possession and possession with the intent to distribute controlled substances, and use of the mails to commit a controlled substance felony, in violation of Title 21, United States Code, Sections 841(a)(1), and 843(b).

  
Matt Schmitz  
U.S. Postal Inspector

Subscribed and sworn to before me this 10th day of April, 2019.

  
The Honorable William C Griesbach  
United States District Court Chief Judge  
Eastern District of Wisconsin